ASSEMBLY BILL   No. 705

Introduced by Assembly Member Nakanishi

February 17, 2005

An act to amend Section 21025.5 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 705, as introduced, Nakanishi. Public employees' retirement: school members.

Existing law authorizes a school member or a retired school member of the Public Employees' Retirement System to elect to receive service credit for certain public service, performed for an independent data center, as specified. If that election is made by a retired school member, existing law provides that his or her retirement allowance shall be increased only with respect to the allowance payable on and after the first day of the month following the date the election is received. Existing law also specifies the method for calculating the contributions a member electing to receive credit for the service must make in order to receive credit for that service.

This bill would instead authorize that increase for a retired school member with respect to the allowance payable on and after the date of retirement. The bill would also revise the method for calculating contributions the member must make in order to receive the service credit.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1   SECTION 1. Section 21025.5 of the Government Code is
2 amended to read:
3   21025.5. (a) "Public service" with respect to a school
4 member or a retired school member also means service rendered
5 on or after June 30, 1977, and prior to June 30, 1982, to an
6 independent data processing center formed pursuant to former
7 Article 2 (commencing with Section 10550) of Chapter 6 of Part
8 7 of Title 1 of the Education Code, as it read on December 31,
9 1990, if all of the following conditions are met:
10   (1) The member was a school member prior to employment
11 with the independent data processing center.
12   (2) The member returned to school employment following
13 termination of his or her employment with the independent data
14 processing center.
15   (3) The member received a refund of the contributions he or
16 she made to the system during his or her employment with the
17 independent data processing center.
18   (b) A retirement allowance of a retired school member who
19 elects to receive service credit for public service pursuant to this
20 section shall be increased ~~only~~ with respect to the allowance
21 payable on and after the ~~first day of the month following the date~~
22 ~~the election is received~~ *date of retirement*.
23   (c) A *school member or retired school* member may elect to
24 receive credit for public service pursuant to this section at any
25 time.
26   (d) Any *school member or retired school* member electing to
27 receive credit for service under this section shall make the
28 contributions as specified in Sections *21033 and* 21050 ~~and~~
29 ~~21052~~*, as if the service were rendered with the school employer*
30 *that preceded the independent data processing center*
31 *employment and as if the contributions and service were for*
32 *employment not included in the federal system.*

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